

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CIVIL TRIAL MINUTES

The Honorable WILLIAM H. ALSUP

Date: May 8, 2012

Case No.: **C10-03561 WHA**Case Name: **ORACLE AMERICA, INC.** v. **GOOGLE INC.**Plaintiff's Counsel: Michael Jacobs; Dan Muino; Fred Norton; David Boies; Andrew Temkin
Dorian Daley; Safra Catz (Corporate Representative)Defendant's Counsel: Robert Van Nest; Matthias Kamber; Eugene Paige; Scott Weingaertner; Christine Anderson
Dan Purcell; Renny Hwang; Catherine Lacavera (Corporate Representative)Clerk: Dawn K. TolandCourt Reporter: Kathy Sullivan; Debra PasTrial Began: April 16, 2012Further Trial: May 9, 2012 at 7:30 am

<u>Trial Motions Heard:</u>	<u>Disposition</u>
1. _____	_____
2. _____	_____
3. _____	_____

Other:

Time in Trial: 5 hours 45 minutes

NORTHERN DISTRICT OF CALIFORNIA

Case No: **C10-03561 WHA**Case Name: **ORACLE AMERICA, INC. v. GOOGLE INC.****EXHIBIT and WITNESS LIST**

JUDGE:	PLAINTIFF ATTORNEY:	DEFENSE ATTORNEY:
WILLIAM H. ALSUP	Michael Jacobs; Dan Muino Fred Norton; David Boies Andrew Temkin	Robert Van Nest; Matthias Kamber Eugene Paige; Scott Weingaertner Dan Purcell; Christine Anderson

TRIAL DATE: May 8, 2012 **REPORTER(S):** Kathy Sullivan; Debra Pas **CLERK:** Dawn Toland

PLF NO.	DEF NO	DATE OFFERED	ID	REC	DESCRIPTION	BY
		<u>7:30 am</u>			Outside the presence of the jury. Plaintiff Michael Jacobs moved in the following stipulated exhibits: 77, 79, 81, 82, 83, 85, 93, 286, 663, 2746, 2749, 2756, 2775, 2776, 89, 90, 91, 82, 94, 87, 388, 662, 310 and 426. Defendant's moved in the following stipulated exhibits: 2460, 2462, 2464, 2929, 2955, 3469 and 2072. Defendant raised issue concerning reference made during plaintiff's openings statement.	
		<u>8:00 am</u>			Reconvene...jury present	
					Court addressed the jury regarding what is a method patent	
		<u>8:09 am</u>			Defendant's Opening Statement	
		<u>8:49 am</u>			Plaintiff's witness Timothy Lindholm sworn-in. Direct by Fred Norton	
<u>1</u>			<u>X</u>	<u>X</u>	Android GPS Key Strategic Decisions Around Open Source	
<u>321</u>			<u>X</u>	<u>X</u>	Email from Andy Rubin to Tim Lindholm re Project advisors	
<u>131</u>			<u>X</u>	<u>X</u>	Email from Tim Lindholm to Andy Rubin re Another thought on Sun motivation	
<u>325</u>			<u>X</u>	<u>X</u>	Email from Tim Lindholm to weekly@google.com re weekly	
<u>212</u>			<u>X</u>	<u>X</u>	Email from Tim Lindholm to Andy Rubin re Sun meeting	
<u>1042</u>			<u>X</u>		Email to Tim Lindholm from Dave Sabota	
<u>1043</u>			<u>X</u>		Email to Tim Lindholm from Google Calendar	
<u>25</u>			<u>X</u>	<u>X</u>	The Java Virtual Machine Specification First Edition	
		<u>9:33 am</u>			Recess	
		<u>9:57 am</u>			Reconvene...jury present	
					Cross Examination by Scott Weingaertner	

		<u>10:00 am</u>		<u>Witness Excused</u>
				<u>Plaintiff's witness Robert Vandette sworn-in. Direct by Fred Norton</u>
		<u>10:17 am</u>		<u>Cross Examination by Matthias Kamber</u>
				<u>Report</u>
		<u>10:32 am</u>		<u>Redirect</u>
		<u>10:35 am</u>		<u>Witness Excused</u>
				<u>Plaintiff's witness Noel Poore sworn-in. Direct by Fred Norton</u>
669		X		<u>Summary and Report of Noel Poore</u>
		<u>10:55 am</u>		<u>Cross Examination by Gene Paige</u>
		<u>11:07 am</u>		<u>Redirect Examination</u>
		<u>11:08 am</u>		<u>Recross</u>
		<u>11:10 am</u>		<u>Witness Excused</u>
				<u>Recess</u>
		<u>11:30 am</u>		<u>Outside the presence of the jury. Parties raised issue regarding exhibits #2276 and 1176. Parties reached a stipulation re 104 and 105 patents.</u>
		<u>11:40 am</u>		<u>Reconvene...jury present</u>
				<u>Court read stipulation to the jury</u>
		<u>11:42 am</u>		<u>Video Deposition of Rafael Camargo - exhibit #1125</u>
749		X	X	<u>Android Compatibility Program</u>
753		X	X	<u>Android Compatibility Program</u>
		<u>11:54 am</u>		<u>Plaintiff read Request for Admissions - exhibit #1111</u>
		<u>12:00 pm</u>		<u>Video Deposition of Daniel Morrill - exhibit #1126</u>
		<u>12:15 pm</u>		<u>Plaintiff addressed the jury re summary</u>
		<u>12:16 pm</u>		<u>Defendant addressed the jury re summary</u>
		<u>12:19 pm</u>		<u>Plaintiff's witness Patrick Brady sworn-in. Direct by Michael Jacobs</u>
749		X	X	<u>Android Compatibility Program</u>
347		X	X	<u>Email from Patrick Brady to Daria Kissner re question for board</u>
662		X	X	<u>Anti-Fragmentation Agreement</u>
77		X	X	<u>Open Handset Alliance Cooperative Marketing</u>
2742		X		
83		X	X	<u>Mobile Application Distribution Agreement</u>

